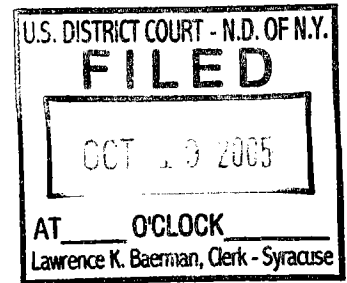


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORKKEVINGAMBLE Plaintiff(s)

vs.

OFFICER J. ISAACS

Defendant(s)

INMATE
CIVIL
RIGHTS
COMPLAINT
PURSUANT TO
42 U.S.C. § 1983

Civil Case No.: 9: 05-cv-1097

Plaintiff(s) in the above-captioned action, allege(s) as follows:

JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343(3) and (4) and 2201.

PARTIES

2. Plaintiff: KEVINGAMBLE 00A6625 NYSid 05031966Q
Address: ELMIRA Correctional Facility
P.O. BOX 500
ELMIRA, New York 14902-0500

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: OFFICER J. ISAACS
Official Position: Prison Guard

Address: ELMIRA Correctional Facility
P.O. BOX 500
ELMIRA, New York 14902-0500

b. Defendant: _____
Official Position: _____

Address: _____

c. Defendant: _____
Official Position: _____

Address: _____

Additional Defendants may be added on a separate sheet of paper.

4.

PLACE OF PRESENT CONFINEMENT

a. Is there a prisoner grievance procedure at this facility?

(☒) Yes () No

b. If your answer to 4(a) is YES, did you present the facts relating to your complaint in this grievance program?

(☒) Yes () No

If your answer to 4(b) is YES:

(i) What steps did you take?

I wrote Inmate Grievance

(ii) What was the **final** result of your grievance?

Denied

If your answer to 4(b) is NO:

Why did you choose to not present the facts relating to your complaint in the prison's grievance program?

- c. If there is no grievance procedure in your institution, did you complain to prison authorities about the facts alleged in your complaint?

() Yes () No

If your answer to 4(c) is YES:

- (i) What steps did you take?

- (ii) What was the **final** result regarding your complaint?

If your answer to 4(c) is NO:

Why did you choose to not complain about the facts relating to your complaint in such prison?

5.

PREVIOUS LAWSUITS

- a. Have you ever filed any other lawsuits in any state and federal court relating to your imprisonment?

() Yes (☒) No

- b. If your answer to 5(a) is YES you must describe any and all lawsuits, currently pending or closed, in the space provided on the next page.

For **EACH** such lawsuit, provide the following information:

i. Parties to previous lawsuit:

Plaintiffs:

Defendants:

ii. Court (if federal court, name District; if state court, name County):

iii. Docket number:

iv. Name of Judge to whom case was assigned:

v. Disposition (dismissed? on appeal? still pending?)

vi. Approximate date of filing prior lawsuit:

vii. Approximate date of disposition:

6.

FACTS

Set forth the facts of your case which substantiate your claim of violation of your civil and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.

Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary.)

The allegations that was charge against me are Fabricated by Officer J. Isaacs, He said inmate Gamble 0046625 Assault on Staff, Interference with employee and Refuse Direct Order. On the morning of August 5, 2005 Approx 7²⁰ A.M. I inmate Gamble was in Six Cell waiting for breakfast when officer J. Isaacs came to the cell he gave me my breakfast when I turn round to reach for my coffee Officer J. Isaacs

grab my ~~left~~ arm and hand and slam it against the wall, Then went down with my left hand to the floor trying to broke it in the hatch. when I was attack by the officer who wrote the misbehavior report Superintendent C. WEST allow the writer and the Civilian who he allow to conduct the hearing to be racial and biased. The civilian did not see the accuser on the video tape Assault officer J. Isaacs, Wherein Superintendent allow Civilian Esgrow to Find me guilty

7.

CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

FIRST CAUSE OF ACTION

SECOND CAUSE OF ACTION

THIRD CAUSE OF ACTION

8. Plaintiff(s) demand(s) a trial by

Jury -or- Court

(Circle only one).

9. PRAYER FOR RELIEF

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

*I want a lawyer. The videotape from August 5, 2005 the officer
who wrote the misbehavior report and Compensation*

I declare under penalty of perjury that the foregoing is true and correct.

DATED: _____

Mr. Kevin Stambke

Signature of Plaintiff(s)
(all Plaintiffs must sign)

Case: 9:05cv1097

Kevin Gamble 00-A-6625
Elmira Correctional Facility
PO Box 500
Elmira, NY 14902-0500
